
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

DIGEST

Proposed law creates the "Lower Ninth Ward Neighborhood Advisory Commission" ("commission") as a corporate body with all the powers of a corporation, and with all the powers and rights of a political subdivision of the state. The boundaries of the commission will include each neighborhood in the area that is represented on the commission membership.

Proposed law provides that the commission is established for the primary object and purpose of advising the appropriate governmental entities on matters of government policy.

Proposed law provides that the commission shall:

- (1) Present and further the interest of the homeowners in the area to aid in the preservation of property values and to improve the character and integrity of residential neighborhoods.
- (2) Educate and inform member neighborhood organizations.
- (3) Participate in planning and improvement.
- (4) Participate with community-based organizations which seek to improve the community environment.

Proposed law provides that the commission will consist of the president from each duly organized nonprofit organization representing single-family homeowners in the area which requests membership on the commission. Proposed law further provides that each representative appointed by a president for membership on the commission will be an elector of and be domiciled within his respective neighborhood.

Proposed law provides that the term of each commission member who is an appointed representative of an organization will be two years; however, no such member will serve more than three consecutive terms. No elected official in the legislative branch of state government may serve as a member of the commission. Each commission member will have a vote at commission meetings.

Proposed law provides that annually, the commission will elect from its membership a chairman, vice chairman, secretary, and such other officers as it deems appropriate.

Proposed law provides that the commission will hold regular meetings and may hold special meetings at such times and places within the commission's area designed to reasonably accommodate the residents of the area attending the meeting as may be provided in the bylaws.

Proposed law provides that notice of regular or special commission meetings will be provided to each commission member at least two days prior to the meeting.

Proposed law provides that the presence of at least 40% of the total commission membership will constitute a quorum for the transaction of business.

Proposed law provides that at any meeting, the commission may consider and make recommendations on matters before it, including actions or proposed actions of the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local or state government.

Proposed law provides that the commission will:

- (1) Adopt such rules and regulations as it deems necessary or advisable for conducting its business affairs. The rules and regulations relative to public notice and conduct of public meetings shall all conform with the Open Meetings Law.
- (2) Have official custody of all monies, funds, and accounts of the commission.

Proposed law provides that the commission may:

- (1) Sue or be sued.
- (2) Adopt, use, and alter at will a seal and bylaws.
- (3) Receive and expend funds made available to the commission and in accordance with a budget adopted as provided by R.S. 33:9100.12.
- (4) Enter into contracts or agreements with individuals or entities, private or public, to carry out its powers and duties and accomplish its purposes.
- (5) Purchase items and supplies which it deems instrumental to achieving its purposes.
- (6) Employ an executive director and staff.
- (7) Acquire, purchase, lease as lessee, and hold and use any property, immovable, movable, corporeal, incorporeal, or any combination thereof or any interest therein necessary or desirable for carrying out its purposes and sell, lease as lessor, transfer, or dispose of any property or interest therein acquired by it.
- (8) Construct, improve, maintain, repair, and operate facilities which it deems necessary or convenient to carry out its purposes.
- (9) Pledge all or any part of its revenues.

- (10) Perform or have performed any other function or activity necessary or appropriate to carry out its purposes.

Proposed law provides that there will be an executive board of the commission consisting of the commission's officers. The board will manage the affairs of the commission. However, the board will exercise no policymaking function, nor incur any indebtedness, nor obligate under contract, nor make any disbursement of funds of the commission, except as may have been specifically authorized by the commission.

Proposed law provides that the board will hold regular meetings and may hold special meetings at such times and places within the area as may be provided in the bylaws.

Proposed law provides that a majority of the members of the board shall constitute a quorum for the transaction of business.

Proposed law provides that the board shall keep and maintain minutes of all meetings and shall make a copy of such minutes available through the commission's secretary.

Proposed law provides that the executive director, with the concurrence of the commission, may hire staff and other personnel as may be necessary and do other acts as may be directed or authorized by the commission.

Proposed law provides that the commission may advise the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local or state government regarding all proposed matters of government policy which affect the area.

Proposed law provides that the governing authority, mayor, or applicable agency, department, board, commission, or other entity of local or state government will provide at least 30 days written notice to the commission officers of any intent to acquire or dispose of immovable property in the area or any intent to change the use of property owned or leased by the respective governmental entity in the area.

Proposed law provides that each local or state agency, department, board, or commission, prior to transmitting to the governing authority or other respective governmental entity any proposed revenue bond issuance, or before the formation of any final policy, decision, or guidelines with respect to grant applications, comprehensive plans, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting the area, the parish budget and goals and priorities, proposed changes in local or state government services delivery, and opening of any proposed specialty systems, will provide at least 30 days advance notice of the proposed action to each commission officer.

Proposed law provides that the issues and concerns raised in recommendation of the commission will be given great weight by the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local or state government.

Proposed law provides that the views of the commission will only be presented by an officer of the commission or by a commission representative.

Proposed law provides that no provision of proposed law is intended nor will be construed to impede, interfere with, delay, or supersede any regulatory authority of the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local or state government.

Proposed law provides that the commission will adopt an annual budget in accordance with the Louisiana Local Government Budget Act. The budget and all amendments will be subject to the approval of the governing authority. The commission will be subject to audit by the legislative auditor.

Proposed law provides that except as otherwise specifically provided in proposed law, the commission and executive board will be subject to the Open Meetings Law, the Public Records Law, and the Code of Governmental Ethics.

Proposed law provides that the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local or state government may provide the commission with staff support and assistance to enable the commission to perform its duties.

Proposed law provides that the commission will cooperate and may contract with local or state government or any agency, department, board, commission, or other entity thereof and may accept gifts, grants, and donations of property and money therefrom.

Effective August 15, 2009.

(Adds R.S. 33:9100.31-9100.43)